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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/695,022
		Filing Date	October 23, 2000
		First Named Inventor	Steven Z. Wu
		Art Unit	3738
		Examiner Name	Paul B. Prebilic
Total Number of Pages in This Submission	3	Attorney Docket Number	50623.87

## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form PTOL-85 (in duplicate) (2 pages)	<input type="checkbox"/> Formal Drawing Replacement Sheet & Sheet Annotated Marked-up Drawing	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Amendment Transmittal letter (in duplicate)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Statement of the Substance of Telephonic Interview on November 3, 2005 (2 pages)	<input type="checkbox"/> Request To Amend Drawings Under 37 CFR 1.121 (in duplicate)	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input checked="" type="checkbox"/> Certificate of Mailing	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Petition For Extension of Time (months) (in duplicate)	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input checked="" type="checkbox"/> Express Mail Label No. EV 721 157 935 US	<input type="checkbox"/> Statement of Common Ownership	
<input checked="" type="checkbox"/> Postage Paid Return Postcard	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Deposit Account 07-1850 Authorization	Remarks	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

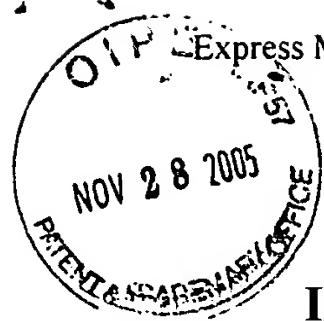
Firm or Individual name	Squire, Sanders & Dempsey L.L.P. Mark Lupkowski, Reg. No. 49,010
Signature	
Date	November 28, 2005

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as Express Mail in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Yayoi Barrack		
Signature		Date	November 28, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



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Attorney Docket No. 50623.87

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Examiner: Paul B. Prebilic

Steven Z. Wu et al.

Serial No.: 09/695,022

Art Unit: 3738

Filed: October 23, 2000

Title: Implantable Drug Delivery Prosthesis

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT OF THE SUBSTANCE OF  
TELEPHONIC INTERVIEW ON NOVEMBER 3, 2005**

Dear Examiner Prebilic:

This is a Statement of the Substance of the telephonic interview which occurred on November 3, 2005 regarding the Response to Requirement of Supplemental Oath or Declaration in Notice of Allowability that was filed with the U.S. Patent Office on October 19, 2005 by the Applicant's attorney.

**Claims discussed**

No claims were discussed.

**Prior art discussed**

No prior art was discussed.

**Summary of Discussion**

The Response to Requirement of Supplemental Oath or Declaration in Notice of Allowability was discussed. In the Response, Applicant's attorney asserted that a Supplement Oath or Declaration should not be required. Alterations made on the Office's copy of the

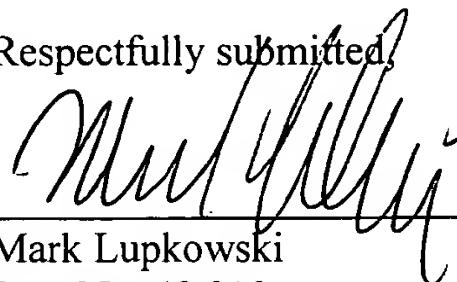
specification were not made by Applicant or Applicant's attorney. The Examiner indicated that the Supplemental Oath or Declaration would not be required.

If the Examiner has any questions or concerns, the Examiner is invited to telephone the undersigned attorney at (415) 954-0297.

Date: November 28, 2005

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One Maritime Plaza, Suite 300  
San Francisco, CA 94111-3492  
Telephone: 415.954.0297

Respectfully submitted,

  
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Mark Lupkowski  
Reg. No. 49,010  
Attorney for Applicant